

DETAILED ACTION

Election/Restrictions

1. A telephone call was made to Laural Boone on 4 January 2008 who referred me to Andrew Fessak to request an oral election to the restriction requirement that follows, but did not result in an election being made because of the complexity of the restriction requirement.
2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-22, 67-75, 101-102, and 115-117, drawn to Providing the Status of a Shipment, classified in class 707, subclass 7.
 - II. Claims 23-30, 99-100, and 105-106, drawn to Auctioning and Bidding on Requests for Shipping, classified in class 705, subclass 26.
 - III. Claims 31-38, 52-56, 76-84, 103-104, 107-108, 111-112, and 118, Locating a Shipping Provider by location, category of goods, and load capability, classified in class 705, subclass 28.
 - IV. Claims 39-51, 57-66, 109-110, and 113-114, Marketing or Locating Clients based on shipping services required, classified in class 705, subclass 65.
 - V. Claims 85-98, and 119-120, Shipping Requests based on contracts or agreements, classified in class 705, subclass 60.
3. The inventions are distinct, each from the other because of the following reasons:

Inventions I, II, III, IV, and V are related as subcombinations disclosed as usable together as a single combination.

Invention I is drawn to responding to a request for information regarding a particular shipment or delivery, searching for a particular shipment or delivery and providing the status and contact information using various communication methods to communicate the status to the requesting party.

Invention II is drawn to the Auctioning and Bidding on Requests for Shipment from different entities and with regards to various types of cargo.

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Invention III is drawn to Searching for and Locating Shippers by location, category of goods, and the load capability of a shipper.

Invention IV is drawn to Locating Clients that have shipping needs and marketing various shipping related services to those clients.

Invention V is drawn to placing Shipping Request(s) for contracted or agreed upon shipping services.

4. The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claims(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFS 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional and / or nonstatutory double patenting rejections over the claims of the instant application.
5. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner, if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification thereby requiring a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL DANNEMAN whose telephone number is (571)270-1863. The examiner can normally be reached on Mon.-Thurs. 6AM-5PM Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul Danneman/

Examiner, Art Unit 3627

19 January 2008

/F. Ryan Zeender/

Supervisory Patent Examiner, Art Unit 3627